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Protect Our Children from Obscenity!!!

Dear Colleague:

There are over 30,000 pornographic Internet web sites.

12-17 year old adolescents are among the larger consumers of Porn (U.S. Commission on Pornography)

Transporting obscenity on the Internet is a Federal crime. (Punishable by a fine and not more than 5 years in prison for the offense and a fine and up to 10 years in prison for the second offense, plus a basic fine of up to \$250,000. 18 USC 1462)

In 1998, Congress tried to protect children from obscenity with the "Child Online Protection Act." That legislation attempted to protect our children by requiring adult identification before admission to a site. The court has blocked it since some adults may not have appropriate identification and might be denied access. Our children are still in danger.

If we cannot protect our children from the obscenity on websites, the only solution is to protect them when they use the Internet. In 1998, the Labor-HHS-Education Appropriations subcommittee adopted an amendment which would protect our children from obscenity on the Internet. This provision was supported by every member of the subcommittee both Democrat and Republican. The roll call vote was unanimous.

This legislation requires a school or library which receives Federal funds for the purchase of computers, computer-related equipment (modems, LANs, etc.), to install an Internet obscenity/child pornography filter on a computer to which minors have access.

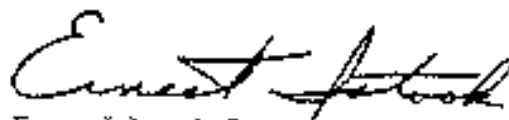
Because the filters are not yet perfect, and might inadvertently block non-obscene websites, the provision allows access to other sites with the assistance of an adult. The filter can be turned off with a password, for example, for that one session; the filters routinely turn back on automatically after that user exits the Internet. The filter software is required only for computers to which minors have access, so, for example, it would not restrict a teacher's computer in their personal office, or any computer in a strictly-adult section of a library.

If the filtering software is not installed, the school or library involved would have funds withheld for further payments toward computers and computer-related services, until they comply with the law.

State agencies, who have oversight of the appropriated funds, are responsible for approving software to comply with this legislation. There is no authority for the Department of Education to dictate this selection. The Department of Education only has authority to determine the accepted software packages usable by Indian Tribes and Department of Defense schools and libraries. This is designed to assure local control, and to foster competition in the software market.

The Supreme Court has determined that obscenity is not constitutionally-protected speech. This legislation will not curtail anyone's constitutionally-protected speech.

If you have questions call Dr. Bill Duncan at 5-2132.



Ernest J. Istook, Jr.
Member of Congress

Support the Child Protection Act of 1999